

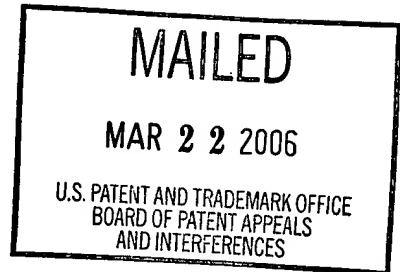
The opinion in support of the decision being entered today was not written for publication and is
not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: NEREIDA MARIA MENENDEZ,
PAULA S. WILLIAMS and MICHAEL J. MANIS

Application No. 09/698,502



ORDER RETURNING UNDOCKETED APPEAL

This application was received at the Board of Patent Appeals and Interferences on February 6, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

INFORMATION DISCLOSURE STATEMENT

Appellant filed an Information Disclosure Statement (IDS) dated January 5, 2001.

There is no indication on the record that the Information Disclosure Statement was considered by the Examiner and the related Form 1449 needs to be signed. A written communication notifying appellant of the Examiner's consideration is required.

EXAMINER'S ANSWER

On April 18, 2005, an Examiner's Answer, was mailed. A review of the Examiner's Answer reveals that it is not in compliance with the headings as required under 37 CFR § 41.37(c).

Accordingly, it is

ORDERED that the application is returned to the examiner to:

- 1) consideration and proper written response to the Information Disclosure Statement filed January 5, 2001;
- 2) to vacate the Examiner's Answer mailed April 18, 2005, and generate a revised Examiner's Answer to include all required headings in accordance with the new rules effective September 13, 2004; and
- 3) for any further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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Application No. 09/991,379

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